PROCEEDINGS OF THE COMMON COUNCIL IN Regular SESSION Tuesday , December 12,197.2

CITY OF FORT WAYNE, INDIANA Journal of the Proceedings of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday						
evening, December 12, A.D., 197 2 in Regular Session. President John						
Nuckols in the chair, and Charles W. Westerman , Clerk, at the desk, present						
the following members viz:						
Burns, Hinga, Kruse, Nuckols, Moses,						
Donald Schmidt,, Vivian Schmidt, Steir, Talarico						
Absent: Councilman						
V						
The invocation was given by Reverend James Moulketis Holy Greek Orthodox Church						
Received report from the City Controller for the month of, 197						
Motion made and carried that report be made a matter of record and placed on file.						
× .						
The minutes of the last regular <u>December 5th</u> , 197_2 session having been						
delivered to the Council, were, on motion, approved as published.						



COMMUNICATION FROM THE MAYOR

December 7, 1972 To the Common Council Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, December 7, 1972, I have approved the following ordinances passed by the Common Council at its regular meeting on December 5, 1972.

(Bill No. A-72-11-01)
APPROPRIATION ORDINANCE NO. A-18-72

AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of the Aviation Fund of the 1972 Budget of the City of Fort Wayne.

(Bill No. R-72-12-11) RESOLUTION NO. R-52-72

RESOLUTION APPROVING CITY OF FORT WAYNE ACCEPTANCE OF FEDERAL GRANT OFFER.

(Bill No. R-72-12-12) RESOLUTION NO. R-53-72

RESOLUTION APPROVING ACTION OF BOARD OF PUBLIC WORKS TO FILE ITS APPLICATION WITH THE U. S. GOVERNMENT REQUESTING FUNDS TO ASSIST IN CONSTRUCTION OF THE ST. JOE INTERCEPTOR SEMERS.

(Bill No. R-72-12-13) RESOLUTION NO. R-54-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

(Bill No. R-72-12-14) RESOLUTION NO. R-55-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

(Bill No. Z-72-07-09) ZONING MAP ORDINANCE NO. Z-18-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-10.

(Bill No. S-72-11-02) SPECIAL ORDINANCE NO. S-90-72

AN ORDINANCE approving a certain bid document with HEINE TURF EQUIPMENT and ALLEN COUNTY TRACTOR SALES, for three (3) mowers.

Respectfully submitted.

Jow Hill Ivan A. Lebamoff

Mayor

MADE A MATTER OF RECORD

DATE 12/10/12 CHARLES W. WESTERMAN, CITY CLERK



December 7, 1972

Members of the City Council City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

The National Flood Insurance Program was established under the Housing and Urban Development Act of 1968 to make limited amounts of flood insurance, which was previously unavailable from private insurers, available to property owners by means of a federal subsidy.

Insurance, at subsidized premium rates, may be purchased for existing properties anywhere in the community and for new construction outside the area of special flood hazards. Insurance at the subsidized rate may be purchased in amounts up to \$17,500.00 for single family homes and up to \$33,000.00 for two to four family homes and small businesses.

The "RESOLUTION CONCERNING CONSTRUCTION IN AREAS OF THE CITY IN WHICH THERE IS DANGER OF FLOODING" will qualify the City of Fort Wayne, under the Emergency Program for Flood Insurance. The resolution describes the means by which the Building Commissioner will review future applications for building permits in those areas that are flood prone.

At the present time adequate information is not available for the adoption of a Flood Plain Ordinance; however, the Army Corps of Engineers is conducting a study that will give us information that will provide a basis for a Flood Plan Ordinance by means of actual elevations and delineating those areas prone to the 100 Year Flood. When that information is available Flood Plain Zoning will be designed and recommended to the Council for adoption.

Respectfully submitted,

CITY PLAN COMMISSION

William J Director

WJJ:pr Copies to: Mayor Lebamoff Ron Bonar

MADE A MATTER OF RECORD

DATE 1/2/2 CHARLES W. WESTERMAN, CITY CLERK



COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto are the recommendations of the City Plan Commission on two (2) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

> Bill No. Z-72-11-06 Bill No. Z-72-11-17

> > Respectfully submitted

CITY PLAN COMMISSION

Certified and Signed this 11th day of December, 1972

> George H. Secretary

MADE A MATTER OF RECORD DATE 12/12/2 CHARLES W. WESTERMAN, CITY CLERK

CITY PLAN COMMISSION. City-County Building One Main Street Fort Wayne, Indiana

December 11, 1972

Members of the Common Council City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held November 27, 1972. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

- Bill No. Z-72-09-17
 - a. Intended Use: No specific use stated
 - b. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

 No intended use has been established for either parcel and it would not be in the best interest of the community or the City to rezone these two parcels of ground strictly on a speculative basis.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

William J. Jones

Director of Planning

WJJ:pr

ATT.

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 26, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-09-17; and.

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 16, 1972;

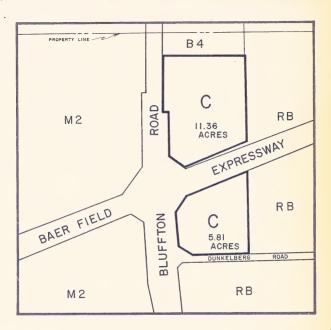
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 27, 1972.

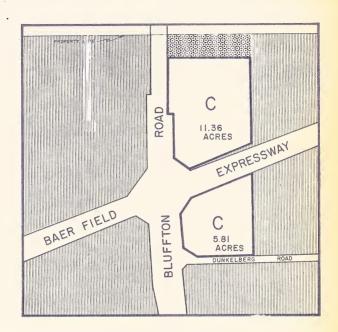
Certified and sioned this 11th day of December, 1972

> George H. Roser Secretary



C CHANGE FROM RB TO B4

Z-72-09-17



EXISTING LAND USE MAP

— VÁCANT LAND

Z-71-09-17

PAGE NO. CC 18

DATE AUG 30-72

ROAD 11.36 AGRES EXPRESSWAY BAER FIELD 5.81 ACRES

PROPOSED LAND USE MAP

- LOW DENSITY RESIDENTIAL

-- INDUSTRIAL

Z-75-09-19

5 NO UT/8

DATE AUG 30 - 12

CITY PLAN COMMISSION City-County Building One Main Street Fort Wayne, Indiana

December 11, 1972

Members of the Common Council City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held November 27, 1972. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

- 1. Bill No. Z-72-11-06
 - a. Intended Use: Condominium
 - b. Plan Commission Recommendation: Perfect to an "RA" and DO PASS

This ordinance received a perfection to an "RA" and DO PASS recommendation for the following reasons:

- The "R3" zoning classification would not be a compatible zoning classification because of existing "RA" zoning located to the west and east of this petitioned change.
- The "RA" zoning classification would be more desirable by providing review by the Plan Commission and insure residential property owners in the area a means of input through the Plan Commission.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Director of Planning

WJJ:pr

Att.

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING OPDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 14, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-11-06; and

WHEFEAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 20, 1972.

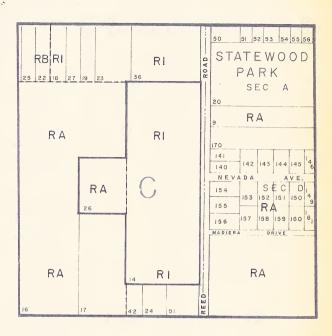
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance BE PERFECTED TO AN "RA" and DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

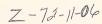
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 27, 1972.

Certified and signed this 11th day of December, 1972.

> George H. Roser Secretary

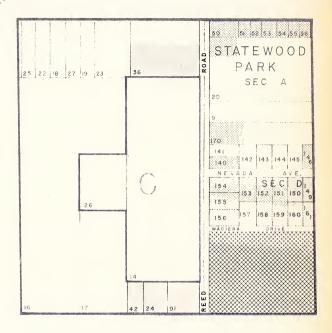


C CHANGE FROM R-I TO R-3



PAGE NO. G-7, H-7

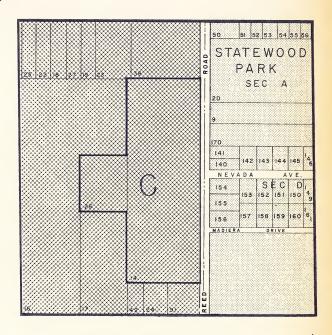
DATE. 10-13-72



EXISTING LAND USE MAP

- VACANT LAND	1
- ONE FAMILY RESIDEN	CE
- RESIDENCE A	si
- MULTIPLE FAMILY RESI	DENCE

Z-72-11-06



PROPOSED LAND USE MAP

— LOW	DENSITY RE	SIDENTIAL
──HIGH	DENSITY	RESIDENTIAL

2-71-11-04



December 8, 1972

President of the Common Council City of Fort Wayne, IN

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 85-72/E 86-72/E, 87-72/E, & 88-72/D.

For The purpose of enforcement, please make this communication and the attached Regulator Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo Director of Public Safety

MADE A MATTER OF RECORD

DATE CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 85-72 /E), 86-72/E, 87-72/E & 88-72/D

I hereby certify that I did this day of
December , 19872 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within $86\text{-}72/\mathrm{E},~87\text{-}72/\mathrm{E}~\S~88\text{-}72/\mathrm{D}$ Regulatory Resolution No.85-72 /E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordi-
nance G-55, adopted FEB. 14, 1961.

J. Lawrence Piley 155

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO.85-72/E

(Adopted <u>December</u> 8 , 19 72)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with re-

gard to Renew & Extend RegulatorResolutions
65-72/E, 66-72/E & 68-72/E
; and,

WHEREAS, the City Traffic : Engineer has, by written

memorandun dated November 14, 19 72, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE. INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective December 8

19 7/2and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

- A. STOP INTERSECTION
 - 1. Merchandise Drive Stop Ley Road

DELETE:

- B. STOP REGULATION
 - 1. Beacon St. Stop at State Blvd.
- C. SPEED LIMIT 35MPH
 - 1. Wells St. from Franke Park Dr. to Northrop St.

DELETE:

- D. SPEED LIMIT 40 MPH
 - 1. Wells St. from 700 ft. north of Spy Run Creek to Northrop St.

REGULATORY RESOLUTION NO.86-72/E

(Adopted December 8, 1972_)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.6-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with re-

gard to Renew & Extend RegulatoryResolution 73-72/E
and 74-72/E in part.
; and,

WHEREAS, the City Traffic: Engineer has, by written

memorandun dated <u>November 28</u>, 19 72, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE GITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G -55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective December 8 _____,

 19^{-7} 2, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABL ISHED:

- A. STOP INTERSECTION
 1. Taylor St. stop at Freeman St.
- B. NO PARKING

 1. Madiera Dr. both sides from Reed Rd., east to the eastern terminus.
- ONE WAY STREET
 Edgewater Ave. eastbound from Tecumseh St. to Delta Blvd.
 Crescent Ave. northbound from Edgewater Ave. to Lake Ave.
- D. NO PARKING 1. Tecumseh St. - west side - from Columbia Ave. to Lake Ave.
- E. DELETE: ONE WAY STREET 1. Columbia Ave. - westbound - from Clay St. to Lafayette St.
- F. STOP INTERSECTION
 1. Crescent Ave. stop at Tennessee Ave.

REGULATORY RESOLUTION NO. 87-7/2

١	(Adopted	December	8 .	1972_	١

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1981 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying

the Experimental Regulation hereinafter ordered, with regard to Stop intersection

_____; and,

WHEREAS, the City Traffic : Engineer has, by written

memorandun dated November 9, 19 72, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective December 8

1972_, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. STOP INTERSECTION

1. Irene Ave. - stop - at Hensch St.

REGULATORY RESOLUTION NO. 88-72/D (Adopted December 8, 19 72) WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB, 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and, WHEREAS, Section 62 of said chapter as so amended delegates to this Board authority to __designate_ preferential intersection WHEREAS, the City Traffic Engineer has, by written memorandum dated November 9, 1972, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board; NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA: That, pursuant to the authority delegated to this Board by Section 62 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby it is hereby that THE FOLLOWING BE ESTABLISHED:

PREFERENTIAL INTERSECTION

- McCormick Ave. preferential at Shadybrook Dr. Belle Vista Blvd. preferential at Corvalis Ave. Belle Vista Blvd. preferential at Remington Dr.
- Belle Vista Blvd. preferential at Gates Dr.
- Belle Vista Blvd. preferential at Rosila Dr.
- 6. Paul St. - preferential - at Ontario ST.

PRESIDENT OF CITY COUNCIL ANNUAL REPORT

Outgoing Fort Wayne City Council President John Nuckols today lauded the countless accomplishments of the 1972 Common Council and hailed the governmental body as "the most productive local legislature in the history of the City."

The Council President reviewed the year's Council activities, which he said were more than double those of past years, and cited what he thought were the most major bills passed.

Nuckols, who himself was the sole holdover councilman following last year's City elections, said the key to Council's productivity was the vigor and the openness of the councilmen.

"We were far from unified on every issue," Nuckols explained, "and we had our fair share of councilmanic fights and legislative controversies. No were we a rubber stamp for the City Administration. But we were open and receptive to all new ideas and to all our citizens who turned to us for help." Nuckols in January began serving his fourth consecutive term as representative of the First District, and became the first black to ever hold the seat of President of the Common Council.

In reviewing the year, Nuckols stressed 18 pieces of legislation passed by Council as among the most important moves of 1972:

- -- The decision made in January to hold at least six Council sessions in public schools in the six councilmanic districts, "taking the government to the people."
- -- The approval of the Administration's Memorandum of Understanding with the U.S. Department of Housing and Urban Development, a key document in the request for recertification of the City's Workable Program for Community Improvement.
- -- The approval of an application to the federal government via the Intergovernmental Personnel Act requesting funding
 support for three personnel specialists to construct a Model
 Public Personnel Program in the City, and "to establish sound policies, procedures, and practices in the hiring and firing of
 public employes."
- -- The request that the Region II Criminal Justice
 Planning Agency petition the state government to build a Regional
 Comprehensive Correction Center in Fort Wayne, and to include
 in the center a holding facility to replace the antiquated Allen
 County Jail.
- --- The passage of a six-month ban on construction of gasoline stations in Fort Wayne, and the mandate to the Board of Public Works and the Plan Commission to create criteria whereby

such permits could be granted, as well as recommendations to encourage the utilization of abandoned filling stations.

- -- The authorization for the Board of Public Works to seek an electric rate increase from the Public Service Commission of Indiana, in an effort to restore the utility to the break even point.
- -- The approval of repairs to the Hurshtown Reservoir, which sprung a leak 18 months ago and endangered the surrounding area, as well as endangering the water supply of the City.
- -- The pledge to pass flood plain zoning for the City
 as soon as the Board of Public Works, County Surveyor, and Army
 Corps of Engineers recommend flood plain areas, in order to
 qualify countless residents for federally underwritten insurance.
- -- The passage of strict controls over weeds, noxious plants and rank vegetation, to be implemented by the Board of Public Health and the Department of Public Parks, rather than the police department, and including fines to be levied against property owners who won't control weeds, and liens to recover City costs when the City is forced to control weed growth.
- -- The passage of a comprehensive Fire Prevention Code as recommended by the American Insurance Association.
- -- The approval of the Fort Wayne, New Haven, and Allen
 County Area Transportation Study, and its inclusion, via Municipal
 Code revemping, into the Master Plan for the City of Fort Wayne.
- -- The abolition of the Metropolitan Human Relations
 Commission, and the replacement of the commission by a smaller
 agency with increased powers and scope, more representative of
 the diverse population segments in the City.

- -- The endorsement of the development of a Community
 Coordinated Child Care program for the City.
- -- The approval of the City's Workable Plan for Community Improvement, a two-year projection for code enforcement, planning, programming, housing, relocation, and citizen involvement.
- -- The mandate to the Board of Public Works to submit specifications to Council for a Community Antenna Television (CATV) system for the city, and the order to the Board to hold public hearings for community involvement.
- -- The approval of the City's \$1.5 million Neighborhood
 Development Program to renew blighted areas of the inner city.
- -- The approval of the application for a federal 701
 Planning Grant to fund preparations for the reconstruction of
 the environment in Fort Wayne.
- -- The approval of the application for an Open Spaces
 Land Grant to upgrade four parks in the City.
- The early repeal of the "oppressive" curfew law, which was passed in the summer of 1971 over the vehement objections of Nuckols, and which was designed almost exclusively to affect only inner city residents.

While not needing formal Council approval, the application of the Fort Wayne Housing Authority to HUD for funding of a low-income, high rise apartment complex for the elderly along Harmar Street was cited by Nuckols as an outstanding accomplishment, brought to the initial stages of fruition only through the vigorous backing of both the administration and various councilmen. The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th day of December , 19 72; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of December ,19 72 .

Charles W. Westerman City Clerk